



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 289 OF 2024

Vinod Bhagwandas Kalyni V/s State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Syed Salman Ali, counsel for the applicant.

Mrs. H.N.Prabhu, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 25/06/2024.

1. Apprehending the arrest at the hands of police, in connection with Crime No. 96/2024 registered with Police Station Shanti Nagar, District Nagpur, for the offence punishable under Sections 294, 420, 507 of the Indian Penal Code, 1860, the applicant approached this Court for grant of pre-arrest bail.

2. The accusation against the present applicant is on the basis of report lodged by informant Manisha Chhotelal Shrivastava alleging that she was intending to purchase the flat vide Pradhan Mantri Awas Yojana. She paid the amount of Rs. 27,000/- Online and Rs. 25,000/- in cash. The applicant failed to show her flat and therefore, she selected one flat, but the applicant has not executed any agreement. Thus, she was duped by the present applicant.

3. Learned counsel for the applicant submitted that as far as the allegations are concerned, which is of civil nature, custodial interrogation of the present applicant is not

required. In view of that, he be released on anticipatory bail.

4. Learned APP strongly opposed the said application on the ground that, there are criminal antecedents against the present applicant, as similar type of offences are registered against him. She further submitted that he has not cooperated with the investigating agency, in view of that, ad-interim protection granted to the present applicant deserves to be cancelled.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the recitals of the FIR. Prima-facie from the recitals of the FIR, it reveals that dispute between the present applicant, and the informant is of civil nature. However, considering the fact that applicant has not cooperated with the investigating agency, as he has not attended the concerned police station, condition requires to be imposed on him. The applicant has further shown his willingness to deposit the amount, in view of that, interim protection deserves to be confirmed. Accordingly, I proceed to pass the following order;

- a] The criminal application is **allowed**.
- b] In the event of arrest, in connection with Crime No. 96/2024 registered with Police Station Shanti Nagar, District Nagpur, for the offence punishable under Sections 294, 420, 507 of the Indian Penal Code, 1860, the applicant – Vinod Bhagwandas Kalyni, shall be released on

anticipatory bail on executing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall attend the concerned police station on Sunday between 10.00 a.m. to 01.00 p.m. and shall co-operate with the investigating agency.
- d] On failure to attend the concerned police station, the bail granted to the present applicant deserves to be cancelled.
- e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]